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October 15, 2021

District Judge John P. Cronan
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: 1:21-cv-06866-JPC
Phillips v. Johnson & Johnson Consumer Inc.

Dear District Judge Cronan:

This office represents the plaintiff. In accordance with your Honor's Individual Rule 3(B), plaintiff requests an adjournment of the initial conference of October 26, 2021 and accompanying submission of joint letter and proposed case management plan and scheduling order, by October 19, 2021. ECF No. 5.

This action was filed on August 15, 2021, with service required to be completed by November 15, 2021. ECF Nos. 1. *See* Fed. R. Civ. P. 4(m); Fed. R. Civ. P. 6(a)(1)(A)-(B) (excluding the date triggering the period and counting intermediate weekends).

On August 20, 2021, a "copy of the complaint, 2 copies of the waiver form appended to this Rule 4, and a prepaid means for returning the form" was sent to defendant's registered agent as indicated on the summons on August 20, 2021. Fed. R. Civ. P. 4(d)(1)(C).

This office was recently contacted by counsel who will represent defendant, and the parties are negotiating for defendant to waive service of the summons. The undersigned expects to file a signed waiver within the next several weeks.

The proposed new date for the initial conference is December 6, 2021, with accompanying submissions due no later than November 29, 2021. By that time, defendant will have been served or waived service. This request will enable a likely waiver of service and conserve judicial resources, through proceeding in an orderly manner. This request is submitted at least 48 hours prior to October 19, 2021, which is when the pre-conference submissions are required. No prior request has been made for the present relief and no prior request was granted or denied. Thank you.


Respectfully submitted,

Plaintiff's request is granted. The initial pretrial conference scheduled on October 26, 2021 is adjourned to December 7, 2021 at 9:30 a.m. with accompanying submissions due by November 30, 2021. At the scheduled time, counsel for all parties should call 866-434-5269, access code 9176261.

/s/Spencer Sheehan

SO ORDERED.

Date: October 18, 2021
New York, New York


JOHN P CRONAN
United States District Judge

Certificate of Service

I certify that on October 15, 2021, I served and/or transmitted the foregoing by the method below to the persons or entities indicated, at their last known address of record (blank where not applicable).

	CM/ECF	First-Class Mail	Email	Fax
Defendant's Counsel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plaintiff's Counsel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Courtesy Copy to Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

/s/ Spencer Sheehan